IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.RAMKUMAR

TUESDAY, THE 6TH MARCH 2007 / 15TH PHALGUNA 1928

Bail Appl..No. 1395 of 2007()

CRIME NO. 32/07M OF MEDICAL COLLEGE POLICE STATION
THIRUVANANTHAPURAM

PETITIONER

A.ROHITH, S/O.V.V.UNNIKRISHNAN,
RESIDING AT GOKUL, KOLATHARA, KOZHIKODE.

BY ADV. SRI.V.V.SURENDRAN
SRI.P.A.HARISH

RESPONDENTS:

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1. STATE OF KERALA, REPRESENTED BY
PUBLIC PROSECUTOR, HIGH COURT OF KERALA,
ERNAKULAM.

2. STATION HOUSE OFFICER,
MEDICAL COLLEGE POLICE STATION,
THIRUVANANTHAPURAM.

BY PUBLIC PROSECUTOR SRI.JAI GEORGE

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 06/03/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

V. RAMKUMAR, J.

Bail Application No. 1395 OF 2007

DATED: 06-03-2007

O R D E R

Petitioner who is the accused in Crime No. 32/2007 of Medical College Police Station, Thiruvananthapuram for offences punishable under Sections 306 and 376 I.P.C., seeks anticipatory bail.

2. Miss. Meenu Babu who was a student of first year Diploma in Hotel Management at Oriental School of Hotel Management, Lakkidi in Wayanad District committed suicide on 2-2-2007 by hanging herself in her house. The petitioner who is a third year student in the very same institute is alleged to have ravished her after obtaining her consent on a false promise of marriage. Subsequently the petitioner resiled from the promise and this allegedly drove the girl to commit suicide.

3. The learned Public prosecutor opposed the application.

4. Anticipatory bail cannot be granted in a case of this nature. But at the same time, I am inclined to permit the petitioner to surrender before the investigating officer and then to have his application for regular bail ordered by the Magistrate

concerned. Accordingly, the petitioner is directed to surrender before the Investigating Officer on any day between 13-3-2007 and 15-3-2007 for the purpose of custodial interrogation, potency test and recovery of incriminating materials, if any. The petitioner shall thereafter be produced before the Magistrate having jurisdiction, on the same day. The Magistrate shall consider and dispose of the application, if any, filed by the petitioner for regular bail preferably on the same day on which it is filed.

This petition is disposed of as above.

V.RAMKUMAR, JUDGE

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